

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2928 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

KANAKSINH BUPATSINH SOLANKI

Versus

TAKARAM GROUP MILK & VEGETABLES SELLS COOP LTD

Appearance:

MR RAVINDRA SHAH for Petitioner
MR SATYEN B RAWAL for Respondent No. 1
MR DIPAK R DAVE for Respondent No. 2

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 07/07/1999

ORAL JUDGEMENT

Rule. Mr.Satyen Rawal and Mr.Dipak Dave waive the service of Rule on behalf of the respondents nos.1 and 2. Heard Learned Counsel for both the sides on the question of continuance of the interim order passed by this Court. In the facts and circumstances of this case, the ad-interim order dated 20th April 1999 is confirmed

to last till the final disposal of this Special Civil Application. Mr.Dave submits that in case the Lavad Suits are not decided before the expiry of the three years' term of the election of the petitioner as member of the Managing Committee, the Lavad Suits shall become infructuous. In the facts and circumstances of this case, it is also ordered that the pending Lavad Suits Nos.521 of 1996 and 299 of 1998 before the Board of Nominees at Surat, shall be decided at the earliest possible opportunity and preferably within four months from the date the copy of this order is served upon the concerned Board of Nominees.

Both the sides have submitted that this Special Civil Application may be decided in terms of the aforesaid order coupled with the direction that the respondent no.2 shall implead the present petitioner as a party to the Lavad Suits and that the order as has been passed by the Co-operative Tribunal which is impugned in this petition shall not influence the Lavad proceedings or be used to the prejudice or in favour of any of the parties in the pending proceedings in the Lavad Suits. Ordered accordingly. This Special Civil Application is allowed in the terms as aforesaid and the Rule is made absolute accordingly. No order as to costs.

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